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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/748,889

12/27/2000

Frederick W. Ryan JR.

F-212

5705

919 7590 05/18/2007

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EXAMINER

SHERR, CRISTINA O

ART UNIT

PAPER NUMBER

3621

MAIL DATE

DELIVERY MODE

05/18/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/748,889	<b>Applicant(s)</b> RYAN ET AL.	
	<b>Examiner</b> Cristina Owen Sherr	<b>Art Unit</b> 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                            |                                                                                         |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

### **DETAILED ACTION**

1. This communication is in response to applicant's amendment filed February 26, 2007. Claims 1-31 are pending in this case.

#### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-31 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5 and 7-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter (US 5,280,531) in view of Moore (US 5,917,925).
5. Hunter discloses a mail piece verification system for processing a mail piece in a path of travel, the mail piece having associated therewith mail piece data (e.g. col 1 ln 51-68, col 2 ln 3-24), the system comprising: an incoming mail processing center for receiving the mail piece and obtaining the mail piece data at an outgoing mail processing center located downstream in the path of travel from the incoming mail processing center, (col 1 ln 51-68, col 2 ln 3-24, col 3 ln 49-col 4ln17, col 4 ln 26-42); and a data center in operative communication with the incoming mail processing center and the outgoing mail processing center; and wherein: the incoming mail processing center uploads the mail piece data to the data center; the data center performing a

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verification check on the mail piece data and downloading instructions based upon the verification check to the outgoing mail processing center and the outgoing mail processing center uses the instructions to control operation of at least one of the mail processing machines located at the outgoing mail processing center to process the mail piece an incoming mail processing center including a plurality of mail processing machines that perform automated processing of mail pieces (col 4 ln 53-68, col 5 ln 1-44, col 7 ln 1-7).

6. Hunter does not disclose having the outgoing mail processing center including a plurality of mail processing machines that perform automated processing of mail pieces. Moore, however, does (e.g. col 9 ln 59-col 11 ln 19, col 24 ln 21-col 25 ln 17). It would have been obvious to one of ordinary skill in the art to modify the invention of Hunter as disclosed by Moore. Moore provides motivation in that receiving such mail piece data allows for the marking and tracking of mail pieces throughout the entire processing and delivery system (e.g. col 9 ln 59-col 11 ln 19, col 24 ln 21 – col 25 ln 17).

7. Regarding claims 2, 9, and 12 –

Hunter discloses wherein the incoming mail processing center performs a preliminary check on the mail piece data that is different from the verification check performed by the data center; and the verification check includes cryptographic calculations to determine whether or not the mail piece data is valid (e.g. col 2 ln 56-65).

8. Regarding claim 3, 10, 14 –

Hunter discloses wherein the preliminary check includes a check to confirm that the mail piece data includes at least one of the following: (i) recognition of a valid meter serial

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number; (ii) a posting date within an acceptable range; and (iii) a valid recipient address; and the verification check further includes a duplicate detection analysis to determine whether or not the mail piece data has been fraudulently copied (e.g. col 2 ln 58-62).

9. Regarding claims 4, 7, and 13 –

Moore discloses wherein the system uses the mail piece data to determine a delivery route for the mail piece; the outgoing mail processing center represents a particular one of a plurality of outgoing mail processing centers that corresponds to the delivery route; and the data center limits the download of the instructions to the particular one of the plurality of outgoing mail processing centers (e.g. col 13 ln 30-55).

10. As above, it would have been obvious to one of ordinary skill in the art to modify the invention of Hunter as disclosed by Moore. Moore provides motivation in that receiving such mail piece data allows for the marking and tracking of mail pieces throughout the entire processing and delivery system (e.g. col 9 ln 59-col 11 ln 19, col 24 ln 21 – col 25 ln 17).

11. Regarding claims 5, 8, and 11 –

Hunter discloses determining a service class for the mail piece; and the system uses the service class to establish a priority for the upload of mail piece data from the incoming mail processing center to the data center and the download of instructions from the data center to the outgoing mail processing center (e.g. fig 2, col 5 ln 54-63).

12. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter (US 5,280,531) in view of Moore (US 5,917,925), further in view of Fleming

13. Regarding claim 6 –

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Hunter further discloses wherein the selected postage metering system includes an existing serial number (column 2, lines 3-24). Hunter further discloses wherein the mailpieces contain serial numbers (column 2, lines 3-24). Hunter and Moore fail to disclose wherein the responsive action includes issuing a new identification number to replace an existing identification number and the data center providing instructions to the plurality of processing centers to withhold processing of items associated with the existing identification number while allowing normal processing of items associated with the new identification number. Fleming discloses wherein the responsive action includes issuing a new identification number to replace an existing identification number and the data center providing instructions to the plurality of processing centers to withhold processing of items associated with the existing identification number while allowing normal processing of items associated with the new identification number (column 5, line 63, through column 6, line 5).

14. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the invention of Hunter as modified in the rejection for claim 2 such that the responsive action includes issuing a new identification number to replace an existing identification number and the data center providing instructions to the plurality of processing centers to withhold processing of items associated with the existing identification number while allowing normal processing of items associated with the new identification number, as disclosed by Fleming. Motivation is provided in that it was well known in the art at the time of applicant's invention that changing an

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identification number can help prevent fraud associated with the original identification number.

15. Claims 15-31 are rejected under the same criteria as above.

16. Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may be applied as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the examiner.

### ***Conclusion***

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina Owen Sherr whose telephone number is 571-272-6711. The examiner can normally be reached on 8:30-5:00 Monday through Friday.

18. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Fischer can be reached on 571-272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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19. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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